

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

v.

PAUL J. MANAFORT, JR.,

Defendant.

Crim. No. 17-201-1 (ABJ)

**GOVERNMENT’S MOTION FOR LEAVE TO FILE RESPONSE
TO MANAFORT’S FILING ON THE COURT’S TO ORDER TO SHOW CAUSE AND
TO UNSEAL DOCUMENT PREVIOUSLY FILED UNDER SEAL**

The United States of America, by and through Special Counsel Robert S. Mueller, III, respectfully moves (1) for leave to file a response to defendant Manafort’s filing (ECF#79) on the Court’s December 5, 2017 Order to Show Cause; and (2) to unseal the Declaration of Special Agent Brock Domin and accompanying exhibits (ECF#72-1), which were previously filed under seal with leave of the Court. In support of the requested relief, the government avers as follows:

On December 4, 2017, the government filed its opposition to Manafort’s motion to modify his conditions of release, explaining that it could no longer agree to the proposed bail package because it had recently learned that Manafort was taking part in drafting an op-ed that was to be published in the English-language *Kyiv Post*. ECF#73 at 1-4. On December 5, 2017, this Court entered a Minute Order requiring Manafort to show cause “why he has not violated the Court’s Order [of] November 8, 2017,” and allowing him to combine that response with his reply in support of bail-modification motion. Manafort filed that response on December 7. On the same day, the op-ed piece at issue was published online in the *Kyiv Post*.

The government has not had the opportunity to address the arguments raised by Manafort in his filing. We believe that the attached factual and legal submission will be useful to the Court

in assessing Manafort's motion to modify his conditions of release and in determining whether the Order to Show Cause has been discharged.

With its December 4 filing, the government filed under seal (with the leave of the Court) a Declaration of Special Agent Brock Domin with two supporting exhibits. As we noted, the government submitted those documents under seal to avoid the op-ed's becoming public and thereby avert the very harm that the government's filing—and the Court's November 8 Order—was designed to thwart. *See* ECF#72. Because the op-ed has now been published, the reasons for sealing the declaration have been rendered moot, and we submit that public docketing of those materials is appropriate.

Accordingly, the government requests that the Court (1) grant it leave to file the attached response and (2) unseal the Declaration of Special Agent Domin and accompanying exhibits (ECF#72-1). Counsel for Manafort does not consent to the filing of the attached response and has not taken a position on the unsealing request. A proposed order accompanies this motion.

Respectfully submitted,

ROBERT S. MUELLER III
Special Counsel

Dated: December 8, 2017

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ORDER

This matter having come before the Court pursuant to the government's motion for leave to file a response to defendant Manafort's filing (ECF#79) on the Court's December 5, 2017 Order to Show Cause and to unseal a document (ECF#72-1) previously filed under seal, it is hereby

ORDERED that the government's motion is GRANTED;

IT IS FURTHER ORDERED that the government is granted leave to file its response to defendant Manafort's filing (ECF#79); and

IT IS FURTHER ORDERED that the Clerk shall unseal and place on the public docket the Declaration of Special Agent Domin and accompanying exhibits (ECF#72-1).

Date

HON. AMY BERMAN JACKSON
UNITED STATES DISTRICT JUDGE